

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JAYLON JOHNSON

Plaintiff,

v.

GILBERT HERRERA, WAGNER'S
CARNIVAL, ALMEDA MALL,
ANTHONY SCHIMIDT

Defendants.

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CIVIL ACTION NO. _____
(JURY TRIAL)

DEFENDANT WAGNER'S CARNIVAL'S EXHIBIT 1:
INDEX TO NOTICE OF REMOVAL

TO THE HONORABLE UNITED STATES DISTRICT COURT:

Defendant Wagner's Carnival (Hereinafter "Defendant") files this Index to Notice of Removal, containing the following documents, including materials Jaylon Johnson v. Gilbert Herrera, Wagner's Carnival, Almeda Mall, Anthony Schmidt Cause No. 2022-80871; In the 157th Judicial District Court of Harris County, Texas:

- **Exhibit 1:** Index of State Court Documents;
- **Exhibit 2:**
 - The state court's Docket Sheet;
 - Request for Issuance of Service – Wagner's Carnival;
 - Domestic Return Receipt – Wagner's Carnival;
 - Plaintiff's Original Petition and Jury Demand;
 - Defendant Wagner's Carnival's Original Answer and Jury Demand;
 - All Orders and Notice filed to State Court.
- **Exhibit 3:** List of All Parties;
- **Exhibit 4:** List of Attorneys;
- **Exhibit 5:** Jury Trial Request;

- **Exhibit 6:** State Court's Name and Address;
- **Exhibit 7:** Corporate Disclosures

Respectfully submitted,

**THOMPSON, COE, COUSINS & IRONS,
L.L.P.**

By: /s/ Stephanie M. Krueger

STEPHANIE M. KRUEGER
State Bar No. 24078581
SKrueger@thompsoncoe.com
ESSAY EDEN
State Bar No. 24120248
EEden@thompsoncoe.com
One Riverway, Suite 1400
Houston, Texas 77056
(713) 403-8210; Fax: (713) 403-8299
E-serve: skrueger@thompsoncoe.com

**ATTORNEYS FOR DEFENDANT WAGNER'S
CARNIVAL**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 17, 2023, a true and correct copy of the foregoing instrument was delivered to all known counsel of record in accordance with the Federal Rules of Civil Procedure.

/s/ Stephanie M. Krueger

STEPHANIE M. KRUEGER

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JAYLON JOHNSON

Plaintiff,

v.

GILBERT HERRERA, WAGNER'S
CARNIVAL, ALMEDA MALL,
ANTHONY SCHIMIDT

Defendants.

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CIVIL ACTION NO. _____
(JURY TRIAL)

DEFENDANTS' EXHIBIT 2:
LIST OF ALL PARTIES

- **Exhibit 2:**
 - The state court's Docket Sheet;
 - Request for Issuance of Service – Wagner's Carnival;
 - Domestic Return Receipt – Wagner's Carnival;
 - Plaintiff's Original Petition and Jury Demand;
 - Defendant Wagner's Carnival's Original Answer and Jury Demand;
 - All Orders and Notice filed to State Court.

HCDistrictclerk.com

JAYLON JOHNSON vs. HERRERA, GILBERT

2/16/2023

Cause: 202280871

CDI: 7

Court: 157

SUMMARY**CASE DETAILS**

File Date	12/13/2022
Case (Cause) Location	
Case (Cause) Status	Active - Civil
Case (Cause) Type	OTHER CIVIL
Next/Last Setting Date	N/A
Jury Fee Paid Date	2/16/2023

CURRENT PRESIDING JUDGE

Court	157 th
Address	201 CAROLINE (Floor: 11) HOUSTON, TX 77002 Phone:8329272400
JudgeName	TANYA GARRISON
Court Type	Civil

HCDistrictclerk.com JAYLON JOHNSON vs. HERRERA, GILBERT 2/16/2023
Cause: 202280871 CDI: 7 Court: 157

ACTIVE PARTIES

Name	Type	Post Attorney Jdgm
JAYLON JOHNSON	PLAINTIFF - CIVIL	LEWIS, U A
HERRERA, GILBERT	DEFENDANT - CIVIL	
WAGNERS CARNIVAL	DEFENDANT - CIVIL	KRUEGER, STEPHANIE MARION
ALMEDA MALL	DEFENDANT - CIVIL	
SCHIMIDT, ANTHONY	DEFENDANT - CIVIL	
WAGNERS CARNIVAL MAY BE SERVED BY SERVING ITS REGISTERED AGENT	REGISTERED AGENT	

INACTIVE PARTIES

No inactive parties found.

Chronological Case History

Style	JAYLON JOHNSON vs. HERRERA, GILBERT				
Case Number	202280871	Case Status	Active - Civil	Case Type	OTHER CIVIL
File Court	157	File Date	12/13/2022	Next Setting	N/A
Date	Type	Description			
N/A	SERVICE	PERSON SERVED: HERRERA, GILBERT SERVICE TYPE: CITATION (CERTIFIED)			
N/A	SERVICE	PERSON SERVED: ALMEDA MALL SERVICE TYPE: CITATION (CERTIFIED)			
N/A	SERVICE	PERSON SERVED: SCHIMIDT, ANTHONY SERVICE TYPE: CITATION (CERTIFIED)			
N/A	SERVICE	PERSON SERVED: WAGNERS CARNIVAL MAY BE SERVED BY SERVING ITS REGISTERED AGENTJASON G WAGNER SERVICE TYPE: CITATION (CERTIFIED)			
12/13/2022	DOCUMENT	ORIGINAL PETITION COURT: 157 ATTORNEY: LEWIS, U A PERSON FILING: JAYLON JOHNSON			
2/13/2023	DOCUMENT	ANSWER ORIGINAL PETITION COURT: 157 ATTORNEY: KRUEGER, STEPHANIE MARION PERSON FILING: WAGNERS CARNIVAL			

[21A]



202280871 - JAYLON JOHNSON vs. HERRERA, GILBERT (Court 157)

Print All (non-financial)

[Chronological History](#)

[Summary](#) [Appeals](#) [Cost Statements](#) [Transfers](#) [Post Trial Writs](#) [Abstracts](#) [Parties](#) [Court Costs](#) [Judgments/Events](#) [Settings](#) [Services/Notices](#) [Court Registry](#)

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Print List

If you are not a litigant in this case, you may visit our Customer Service departments to obtain copies of documents. Confidential or Sealed documents may not be dispensed to public customers.

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Image No.	Type	Title	[Reset Sort]	Post Jdgm	Date	Pages	Add Entire Case
105518053	Filing	Defendant Wagner's Carnival's Original Answer and Jury Demand			02/13/2023	4	Add to Basket
106106599	Filing	Domestic Return Receipt			01/17/2023	2	Add to Basket
106041659	Filing	Domestic Return Receipt			01/09/2023	2	Add to Basket
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105876127	Filing	Certified Mail Tracking # 7019 2970 0001 3509 1707			12/22/2022	2	Add to Basket
105876128	Filing	Certified Mail Tracking # 7019 2970 0001 3509 1691			12/22/2022	2	Add to Basket
105876129	Filing	Certified Mail Tracking # 7019 2970 0001 3509 1677			12/22/2022	2	Add to Basket
105876130	Filing	Certified Mail Tracking # 7019 2970 0001 3509 1684			12/22/2022	2	Add to Basket
105628338	Filing	Request for Issuance of Service - Gilbert Herrera			12/16/2022	2	Add to Basket
105628339	Filing	Request for Issuance of Service - Wagner's Carnival			12/16/2022	1	Add to Basket
105628341	Filing	Request for Issuance of Service - Almeda Mall			12/16/2022	2	Add to Basket
105628342	Filing	Request for Issuance of Service - Anthony Schmidt			12/16/2022	2	Add to Basket
105559037	Filing	Plaintiffs Original Petition Request for Disclosures and Jury Demand			12/13/2022	8	Add to Basket
Sensitive Data Download Only	Filing	Statement of Inability to Afford Payment of Court Costs or an Appeal Bond			12/13/2022	2	Add to Basket

LEWIS LAW GROUP REQUEST FOR ISSUANCE OF SERVICE

12/16/2022 9:49 PM
 Marilyn Burgess - District Clerk Harris County
 Envelope No. 71110454
 By: Chandra Lawson
 Filed: 12/16/2022 9:49 PM

CASE NUMBER: 202280871CURRENT COURT: Harris County District CourtName(s) of Documents to be served: CitationFILE DATE: 12/16/2022 Month/Day/YearIssue Service to Defendant: Wagner's CarnivalAddress of Service: 1240 N Mccampbell StCity, State & Zip: Aransas Pass, TX 78336-2818Agent (if applicable) Wagner, Jason G

TYPE OF SERVICE/PROCESS TO BE ISSUED: (Check the proper Box)

- ☒ Citation ☐ Citation by Posting ☐ Citation by Publication ☐ Citations Rule 106 Service
☐ Citation Scire Facias Newspaper _____
☐ Temporary Restraining Order ☐ Precept ☐ Notice
☐ Protective Order
☐ Secretary of State Citation (\$12.00) ☐ Capias (not by E-Issuance) ☐ Attachment (not by E-Issuance)
☐ Certiorari ☐ Highway Commission (\$12.00)
☐ Commissioner of Insurance (\$12.00) ☐ Hague Convention (\$16.00) ☐ Garnishment
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☐ Subpoena
☐ Other (Please Describe) _____

(See additional Forms for Post Judgment Service)

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- ☐ ATTORNEY PICK-UP (phone) 713-570-6555
☐ MAIL to attorney at: 99 DETERING #104, HOUSTON, TEXAS 77007
☐ CONSTABLE
☐ CERTIFIED MAIL by District Clerk
☐ CIVIL PROCESS SERVER - Authorized Person to Pick-up: _____ Phone: _____
☐ OTHER, explain _____

Issuance of Service Requested By: Attorney: U.A. Lewis; Bar # :24076511Mailing Address: 99 DETERING #104, HOUSTON, TEXAS 77007Phone Number: 713-570-6555

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C/O JASON G. WAGNER
1240 N McCampbell St
Aransas Pass, Texas 78336-2818

2022-80871 157th CRT

PS Form 3800, April 2015 PSN 7530-02-000-9000 See Reverse for Instructions

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12/14/2022 1:00 AM
Marilyn Burgess - District Clerk Harris County
Envelope No. 70984577
By: Brittany Hall
Filed: 12/13/2022 12:22 AM

2022-80871 / Court: 157

Case No. _____

JAYLON JOHNSON
PLAINTIFF,

VS.

GILBERT HERRERA,
WAGNER'S CARNIVAL,
ALMEDA MALL, ANTHONY
SCHIMIDT,
DEFENDANTS.

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IN THE DISTRICT COURT OF

_____ JUDICIAL DISTRICT

OF HARRIS COUNTY, TEXAS

PLAINTIFFS ORIGINAL PETITION, REQUEST FOR DISCLOSURES AND
JURY DEMAND

TO THE HONORABLE JUDGE OF SAID COURT:

Plaintiff, Jaylon Johnson ("Plaintiff"), files this Original Petition against Defendants, Gilbert Herrera, Wagner's Carnival, and Almeda Mall,(collectively "Defendants"), and in support thereof show as follows:

I.BACKGROUND

1. Almeda Mall allowed Wagner Carnival to continue to operate on its premises despite the knowledge that the Carnival workers have a history of severely injuring others and causing death.

**Wichita couple killed at Sedgwick County
Fair by Wagner Carnival employees**



II. DISCOVERY LEVEL

2. Plaintiff requests that this lawsuit be governed by the Discovery Plan Level 2 pursuant to Rule 190.3 of the Texas Rules of Civil Procedure.

III. PARTIES

3. Plaintiff, Jaylon Johnson is an individual residing in the City of Houston, Texas.
4. Defendant, Gilbert Herrera, 1308 Dahlia St Amarillo, TX 79107
5. Defendant, Wagner's Carnival
6. Defendant, Almeda Mall
7. Anthony Schimidt 2319 Pasadena Blvd Trlr 43 Pasadena, TX 77502

IV. JURISDICTION AND VENUE

8. This Court has personal jurisdiction over Defendants, because this Defendant is engaged in business enterprises and commercial activities in the State of Texas and committed a tort within the State of Texas and in Harris County, Texas.

9. This Court has personal jurisdiction over Defendants because they are residents and/or citizen of the State of Texas, and committed a tort within the State of Texas in Harris County, Texas.

10. Venue is proper in Harris County under TEX. CIV. PRAC. & REM. CODE §15.002(a)(1) because Harris County is the county where all or a substantial part of the events giving rise to the Plaintiffs' claims occurred.

V. CAUSES OF ACTION

11. At the time and on the occasion in question, Defendants Gilbert Herrera, Wagner's Carnival, and Almeda Mall each had a duty to exercise the degree of reasonable care that a reasonably prudent mall parking lot and carnival owner and security provider would use to avoid harm to others under circumstances similar to those described herein, and to protect its patrons.

12. Plaintiffs' injuries were directly and proximately caused by Wagner's Carnival, and Almeda Mall's negligent, careless, and reckless disregard of said duty. P

13. On the occasion in question, Plaintiffs' damages were proximately caused by the negligence, carelessness, recklessness and felony assault by Defendants Gilbert Herrera, Wagner's Carnival, and Almeda Mall and other carnival workers in one or more of the following non-exclusive particulars:

- a. In failing to keep patrons safe from being assaulted by Gilbert Herrera, Wagner's Carnival, and Almeda Mall employees or owners while on the premises;
- b. In failing to use ordinary care to ensure its patrons were safely treated on the premises by Wagner's Carnival, and Almeda Mall employees;
- c. In failing to properly train its employees on safe treatment methods of patrons in the premises;
- d. In failing to use ordinary care to avoid using excessive force to against patrons in the premises;
- e. In failing to use ordinary care in the screening, investigating, hiring, retaining, and supervising of competent or unfit employees; and
- f. In allowing its employees and owner Wagner to knowingly and intentionally committing aggravated assault.

14. Each and all of the above and foregoing acts, both omission and commission,

singularly or in combination with others, constituted negligence which proximately caused the occurrence made the basis of this suit, and Plaintiff's injuries and damages pled herein.

NEGLIGENT SECURITY BY DEFENDANT ALMEDA MALL

Gilbert Herrera, Wagner's Carnival, and Almeda Mall Defendants made a conscious decision to either train its employees and owners to violently attack and abuse the customers, or failed to train its employees and owners to protect its customers by not engaging in violent attacks and abuse against its customers. Additionally, to the extent either Wagner's Carnival, and Almeda Mall alleges there was criminal activity by a third party that may have caused or contributed to the injuries of plaintiff, Wagner's Carnival, and Almeda Mall were on notice of past specific instances of similar criminal conduct sufficient enough to require properly trained staff to prevent these types of injuries from occurring. Wagner's Carnival, and Almeda Mall each had knowledge of previous activity at Wagner's Carnival, and Almeda Mall. There were similar events that occurred quite often and Wagner's Carnival noticed of these events from direct reports. , Wagner's Carnival, and Almeda Mall each:

1. Failed to monitor security cameras;
2. Failed to maintain security cameras that recorded;
3. Failed to properly respond to disruptive behavior in the carnival;
4. Failed to properly train its bouncers, employees and owners;
5. Failed to prevent its customers from being injured by other patrons, bouncers, employees and owners;
6. Failed to be attentive; and
7. Failed to observe ordinary care and prudence under the circumstances.

15. Wagner's Carnival, and Almeda Malls acts and omissions, taken singularly or in combination with others, constituted negligence which proximately caused the occurrence made the basis of this action and caused injury to plaintiff.

**42 USC Sec. 1981-RACE DISCRIMINATION, RESPONDEAT SUPERIOR AND
DIRECT NEGLIGENCE AGAINST DEFENDANTS WAGNER'S CARNIVAL,
AND ALMEDA MALL**

Plaintiff bring his federal claims against Wagner Carnival under 42 USC 1981 and 1985, as a private entity who contracts with the government subject to the bounds of the constitution to refrain from discrimination based on race. Jaylon is an African American and Native American male who was tortured by the agents and employees of Wagner Carnival, in 2021 because of his perceived African American status. He was met with fists, beating, dragging and racial slurs before his vehicle were destroyed after he was dragged out of it against his will by non-African-Americans males working and under the control of Mr. Wagner who was directing the actions of the other traveling carnival employee attackers. Jaylon was severely injured mentally and physically as a result of the Wagner Carnival's actions.

16. Additionally, Plaintiff brings his claims pursuant to the doctrine of respondeat superior, Defendants Wagner's Carnival, and Almeda Mall are each vicariously liable for the conduct of its employees, who were acting in the course and scope of their employment for Defendant Wagner's Carnival during the occurrence made the basis of this lawsuit and whose conduct directly and proximately caused Plaintiff's injuries and damages.

17. Further, Defendants Gilbert Herrera, Wagner's Carnival, and Almeda Mall are also directly liable for Plaintiff's injuries and damages, as described herein.

18. Further, the conduct of Defendants, either individually or through its employees violates Section 2202 of the Texas Penal Code because they caused serious bodily injury to the plaintiff, as well as the commission of an assault.

19. Wagner's Carnival, and Almeda Mall's acts and/or omissions set forth above constitute gross negligence under §41.001(11) of TEX. CIV. PRAC & REM. CODE because, when viewed objectively from the standpoint of the Defendants at the time of its occurrence, each act and/or omission involved an extreme degree of risk, considering the probability and magnitude of the potential harm to others; and the Defendants had actual, subjective awareness of the risk involved, but nevertheless proceeded with conscious indifference to the rights, safety, or welfare of others. Gilbert Herrera, Wagner's Carnival, and Almeda Mall's gross negligence was a proximate cause of the incident that made the basis of this lawsuit.

20. Failure to train or supervise Gilbert Herrera, and respondent superior responsibility.

21. Defendants Wagner's Carnival, and Almeda Mall. failed to train or supervise their security officer John Doe, as a result of their failures Mr. Morris was injured.

22. Anthony Schmidt negligently hired Wagner Carnival workers and failed to train or discipline the Wagner Carnival workers who attacked and unlawfully take property from Plaintiff.

ASSAULT AND BATTERY

23. Gilbert Herrera, and Wagner's Carnival, and Almeda Mall's employees committed battery against the plaintiff causing him severe injuries and damages to his property.

DAMAGES

24. As a result of the injuries creating the basis of this lawsuit described in the preceding paragraphs and the Defendants' negligence, Plaintiff sustained significant injuries and damages in the past and will reasonably sustain these damages in the future. Plaintiff respectfully requests that the trier of fact determine the amount of their damages and losses that they have incurred in the past and will reasonably incur in the future, as well as the monetary value of these damages, which include, but are not limited to:

- a. Physical pain and mental anguish;
- b. Loss of earning capacity and Lost wages;
- c. Emotional distress;
- d. Disfigurement;
- e. Medical care expenses
- f. Out-of-pocket economic losses

25. The damages sought herein are within the jurisdictional limits of the court. Plaintiff seeks monetary relief over \$250,000.00 but not more than \$5,000.00.00.

TEXAS PENAL CODE §31.03-THEFT.

26. Wagner Carnival, its employees, and Gilbert Herrera unlawfully appropriates plaintiff's property with the intent to deprive him without his consent his property was stolen.

27. The defendants are further liable for the theft and destruction of the Plaintiff's person property. Plaintiff is entitled to attorney fees and costs for the theft claim against defendants.

VII. JURY DEMAND

28. Pursuant to Texas Rule of Civil Procedure 216, Plaintiff respectfully requests and demands a trial by jury

IX. PRAYER

29. Plaintiff prays that they have a judgment against Defendant, for actual damages shown and proven at trial, for prejudgment and post-judgment interest, for costs of court, and for all other relief, legal and equitable, to which she is entitled.

Respectfully submitted,
By: /s/U.A. Lewis
Lewis Lewis Law Group
U.A. Lewis
Texas Bar No. 24076511
PO BOX 27353 Houston, TX 77227
T(713) 570-6555
F (713) 581-1017
Attorney for Plaintiff
myattorneyatlaw@gmail.com

2/13/2023 9:29 AM
Marilyn Burgess - District Clerk Harris County
Envelope No. 72685767
By: Angelica Rodriguez
Filed: 2/13/2023 9:29 AM

CAUSE NO. 2022-80871

JAYLON JOHNSON	§	IN THE DISTRICT COURT OF
<i>Plaintiff,</i>	§	
	§	
v.	§	HARRIS COUNTY, TEXAS
	§	
GILBERT HERRERA, WAGNER'S	§	
CARNIVAL, ALMEDA MALL,	§	
ANTHONY SCHIMIDT,	§	157TH JUDICIAL DISTRICT
<i>Defendants.</i>		

DEFENDANT WAGNER'S CARNIVAL'S ORIGINAL ANSWER AND JURY DEMAND

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Defendant, Wagner's Carnival ("Defendant"), in the above styled and numbered cause, and files this Original Answer and Jury Demand and would respectfully show the Court as follows:

I. GENERAL DENIAL

1.1 Pursuant to Rule 92 of the Texas Rules of Civil Procedure, Defendant denies each and every, all and singular, allegations contained in Plaintiff's Original Petition, and demands strict proof by a preponderance of credible evidence in accordance with the laws of the State of Texas.

II. ADDITIONAL DEFENSES

2.1 For further answer, if such be necessary, Defendant asserts the provisions of Chapter 33 of the Texas Civil Practice & Remedies Code.

2.2 Defendant asserts the sole proximate cause, or a proximate cause of the damages allegedly sustained was an unforeseeable intervening act over which Defendant had no control over.

2.3 Defendant alleges Plaintiff's claims for damages may be barred in whole or in part, whether under the doctrines of comparative responsibility or failure to mitigate damages, by the acts or omissions of Plaintiff.

2.4 Defendant is entitled to all caps and limitations on damages pursuant to the Texas Civil Practices & Remedies Code.

2.5 Defendant asserts the damages allegedly sustained by Plaintiff were the result of pre-existing conditions unrelated to Plaintiff's allegations against Defendant.

2.6 Defendant requests an offset and credit for payments made to Plaintiff by third parties, as well as for any other form of compensation received.

III. JURY DEMAND

3.1 Defendant hereby makes a demand for trial by jury and tenders the appropriate fee.

V. PRAYER

4.1 Defendant prays Plaintiff take nothing by this suit, that Defendant has judgment for respective costs in this proceeding, and that the Court grant Defendant all such other relief, both general or special, in law or in equity, to which they may be justly entitled.

Respectfully submitted,

**THOMPSON, COE, COUSINS & IRONS,
L.L.P.**

By: /s/ Stephanie M. Krueger

STEPHANIE M. KRUEGER
State Bar No. 24078581
SKrueger@thompsoncoe.com
ESSAY EDEN
State Bar No. 24120248
EEeden@thompsoncoe.com
One Riverway, Suite 1400
Houston, Texas 77056
(713) 403-8210; Fax: (713) 403-8299
E-serve: skrueger@thompsoncoe.com

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that a true and correct copy of the foregoing document has been sent to all known counsel of record pursuant to the Texas Rules of Civil Procedure on February 13, 2023.

/s/ Stephanie M. Krueger

STEPHANIE M. KRUEGER

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Jamie Miller on behalf of Farrah Ahmed
 Bar No. 24071934
 JaMiller@thompsoncoe.com
 Envelope ID: 72685767
 Status as of 2/13/2023 10:07 AM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
U.A. Lewis		office@thelewislaw.com	2/13/2023 9:29:21 AM	SENT
Stephanie M. Krueger		SKrueger@thompsoncoe.com	2/13/2023 9:29:21 AM	SENT
Essay Eden		eeden@thompsoncoe.com	2/13/2023 9:29:21 AM	ERROR

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JAYLON JOHNSON
Plaintiff,

v.

GILBERT HERRERA, WAGNER'S
CARNIVAL, ALMEDA MALL,
ANTHONY SCHIMIDT
Defendants.

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CIVIL ACTION NO. _____
(JURY TRIAL)

DEFENDANTS' EXHIBIT 3:
LIST OF ALL PARTIES

JAYLON JOHNSON,
Plaintiff

GILBERT HERRERA
Defendant

WAGNER'S CARNIVAL
Defendant

ANTHONY SCHIMIDT
Defendant

ALMEDA MALL
Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JAYLON JOHNSON

Plaintiff,

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GILBERT HERRERA, WAGNER'S
CARNIVAL, ALMEDA MALL,
ANTHONY SCHIMIDT
Defendants.

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CIVIL ACTION NO. _____
(JURY TRIAL)

DEFENDANTS' EXHIBIT 4
LIST OF ALL ATTORNEYS

COMES NOW, Defendant WAGNER'S CARNIVAL, and files the above-referenced Exhibit 4 to their Notice of Removal, in order to provide the Court with the required list of all attorneys:

THOMPSON, COE, COUSINS & IRONS, L.L.P.

STEPHANIE KRUEGER

State Bar No. 24078581

SKrueger@thompsoncoe.com

ESSAY EDEN

State Bar No. 24120248

EEeden@thompsoncoe.com

One Riverway, Suite 1400

Houston, Texas 77056

Tel.: (713) 403-8210

Fax: (713) 403-8299

ATTORNEYS FOR DEFENDANT WAGNER'S CARNIVAL

FEE, SMITH & SHARP, LLP

Brian G. Cano

State Bar No. 24045613

bcano@feesmith.com

Alvin D. Houston

State Bar No. 24041134

ahouston@feesmith.com

2777 Allen Parkway, Suite 800

Houston, Texas 77019

Ph: (713) 362-8300

Fax: (713) 362-8302
Attorney for Defendant Almeda Mall

Lewis Lewis Law Group
U.A. Lewis
State Bar No. 24076511
P.O. Box 27353
Houston, Texas 77227
Ph: (713) 570-6555
Fax: (713) 581-1017
Email: myattorneyatlaw@gmail.com
Attorney for Plaintiff Jaylon Johnson

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JAYLON JOHNSON

Plaintiff,

v.

GILBERT HERRERA, WAGNER'S
CARNIVAL, ALMEDA MALL,
ANTHONY SCHIMIDT

Defendants.

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CIVIL ACTION NO. _____
(JURY TRIAL)

DEFENDANTS' EXHIBIT 5
JURY TRIAL REQUEST

COMES NOW, Defendants WAGNER'S CARNIVAL, and files the above-referenced Exhibit 5 to their Notice of Removal, and respectfully request a jury trial in the above-referenced matter. Defendant further tenders payment for the requested jury trial contemporaneously with the filing of Defendants' Notice of Removal and Exhibit 5.

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JAYLON JOHNSON

Plaintiff,

v.

GILBERT HERRERA, WAGNER'S
CARNIVAL, ALMEDA MALL,
ANTHONY SCHIMIDT

Defendants.

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CIVIL ACTION NO. _____
(JURY TRIAL)

DEFENDANTS' EXHIBIT 6
STATE COURT NAME AND ADDRESS

COMES NOW, Defendant WAGNER'S CARNIVAL, and files the above-referenced Exhibit 6 to their Notice of Removal, in order to provide this Honorable Court with the previous District Court's contact information:

Honorable Judge Tanya Garrison
157th Judicial District Court of Harris County, Texas
201 Caroline Street, 14th Floor
Houston, Texas 77002
Tel.: (832) 927-2400